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NAVAL WAR COLLEGE  
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MODERN MERCENARIES OF THE TWENTYFIRST CENTURY; PROFESSIONAL  
MILITARY CONSULTANTS A MODERN TOOL OF FOREIGN POLICY

By

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A paper submitted to the Faculty of the Naval War College  
in partial satisfaction of the requirements of the  
Department of Joint Maritime Operations.

The contents of this paper reflect my own personal views  
and are not necessarily endorsed by the Naval War College  
or the Department of the Navy.

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<p><b>15. Abstract:</b> Mercenaries have been vital players in warfare throughout history. Until the growth of modern nations with standing forces and conscription they were an essential component of any conflict. The United States has employed mercenaries in its own short history. For example, one such mercenary, a German, hired by the Union Army during the Civil War was awarded the Congressional Medal of Honor<sup>1</sup>. Prior to the United States entering WW II, American mercenaries joined the ranks of the Canadian Air Force and yet another group of pilots voluntarily formed a group in China known as the Flying Tigers<sup>2</sup>.</p> <p>What purpose could a mercenary force serve today in conflict, operations other than war, peace and sanctions enforcement? What impact could the presence of a private military consultant have on a joint task force operation? Is there a place in the diplomatic toolbox for the private military consultant as a tool of foreign policy?</p> <p>Mercenaries of the 21<sup>st</sup> century already little resemble the warriors hired by the ancient Romans in technology and weaponry. The image may remain unchanged, but today the opportunity exists for highly trained military members to join a private military corporation and put their years of experience to profitable. What must occur is a shift in the perception of what a mercenary is and can do.</p>			
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Abstract of

MODERN MERCENARIES OF THE TWENTYFIRST CENTURY; PROFESSIONAL  
MILITARY CONSULTANTS A MODERN TOOL OF FOREIGN POLICY

Mercenaries have been vital players in warfare throughout history. Until the growth of modern nations with standing forces and conscription they were an essential component of any conflict. The United States employed mercenaries in its own short history. For example, one such mercenary, a German, hired by the Union Army during the Civil War was awarded the Congressional Medal of Honor<sup>1</sup>. Prior to the United States entering World War II, American mercenaries joined the ranks of the Canadian Air Force and yet another group of pilots voluntarily formed a group in China called the Flying Tigers<sup>2</sup>.

What purpose could a mercenary force serve today in conflict, operations other than war, and peace and sanctions enforcement? What impact could the presence of a private military consultant have on a joint task force operation? Is there a place in the diplomatic toolbox for the private military consultant as a tool of foreign policy?

Mercenaries of the 21<sup>st</sup> century little resemble the warriors hired by the ancient Romans in technology and weaponry. The image may remain unchanged, but today the opportunity exists for highly trained military members to join a private military corporation and put their years of experience to profitable gain. What must occur is a shift in the perception of how mercenary forces can be used.

<sup>1</sup> Dodenhoff, George, H. A Historical Perspective of Mercenaries, School of Naval Warfare, 1969, pg. 95

<sup>2</sup> Seagrave, Sterling, Soldiers of Fortune, Time Life Books, 1981

## Introduction

Mercenaries have been vital players throughout the history of warfare. When on the job, mercenaries were considered heroes. One German mercenary serving the Union Army during the Civil War was awarded the Congressional Medal of Honor.<sup>1</sup> Mercenaries when unemployed however, were seen as scoundrels. They have been essential components in conflict throughout history. That is until the growth of the modern nation with a standing force and conscription.<sup>2</sup> What purpose could mercenary forces serve in future conflict? What impact could such a group have on the ability of a military commander to conduct an operation? Consider the following scenario:

**GENERAL SITUATION.** ON 1 JANUARY 1999, REBEL FORCES OF THE PEOPLES LIBERATION ARMY OF BELIZE LAUNCHED A MASSIVE ATTACK AGAINST THE GOVERNMENT OF BELIZE FOR THE PURPOSE OF GAINING CONTROL OF THE GOVERNMENT. THE ATTACK WAS A COMPLETE SURPRISE AND THE REBELS INFILCTED HEAVY CASUALTIES ON GOVERNMENT FORCES. CURRENTLY HEAVY FIGHTING IS ON-GOING IN BELIZE CITY; REBEL FORCES HAVE SEIZED THE AMERICAN EMBASSY AND HAVE TAKEN HOSTAGES. THE BELIZE GOVERNMENT HAS CONTRACTED A PRIVATE MILITARY CORPORATION (PMC), TO PROVIDE PROTECTION

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<sup>1</sup> Dodenhoff, George H. A Historical Perspective of Mercenaries, School of Naval Warfare, 1969, pg.95

<sup>2</sup> American Journal of International Law, Burmester, H.C. The Recruitment and use of Mercenaries in Armed Conflict January 1978, Vol. 72, pg. 40

TO NON-GOVERNMENTAL ORGANIZATIONS (NGOS) AND PRIVATE VOLUNTEER ORGANIZATIONS (PVOS), TO SAFEGUARD FOOD/FUEL CACHES, AND TO PROVIDE CIVIL LAW ENFORCEMENT WITHIN BELIZE CITY. GOVERNMENT FORCES ARE CONSOLIDATING AND PREPARING TO LAUNCH A COUNTEROFFENSIVE. THE GOVERNMENT OF BELIZE HAS REQUESTED AND RECEIVED APPROVAL FOR MILITARY ASSISTANCE FROM THE UNITED STATES. THE 14TH MARINE EXPEDITIONARY UNIT (MEU) IS STEAMING TOWARD THE COAST OF BELIZE AND WILL BE ON STATION WITHIN FIVE DAYS. THE 14TH MEU WILL BE PREPARED TO CONDUCT AN AMPHIBIOUS OPERATION IN COORDINATION WITH THE COUNTEROFFENSIVE BY THE BELIZE MILITIA TO THREATEN THE SOUTH EASTERN FLANK OF THE REBEL POSITION AND PERMIT THE INTRODUCTION OF FOLLOW-ON FORCES IN ORDER TO DESTROY THE REBEL FORCES IF NECESSARY. THE COMMANDER, AMPHIBIOUS GROUP TWO IS THE DESIGNATED JOINT TASK FORCE COMMANDER (JTF), AND THE COMMANDER, 14TH MEU IS DESIGNATED COMMANDER LANDING FORCE (CLF). UPON CONFLICT TERMINATION, THE GOVERNMENT OF BELIZE AND THE UNITED NATIONS ARE CONSIDERING OUTSOURCING POSITIVE CONTROL OF PEACE AND SANCTIONS ENFORCEMENT ACTIVITIES TO A PMC.

The Joint Task Force Commander (JTF), needs to consider the rules of engagement (ROE), concerning the presence and involvement of mercenaries before, during and after conflict. What guidance is necessary for planning and execution purposes? What are the implications for foreign policy today and in the future? Are professional military consultants the foreign policy answer to unpopular conflict? Would military operational commanders ever

consider integration of Mercenaries into their strategy planning and operational execution?

### Background

The definition of the term mercenary has not radically changed over the centuries of their existence. The Oxford American Dictionary defines a mercenary as "one who works merely for money or other reward, such as professional soldiers hired to serve a foreign country." Mercenaries have enjoyed many images; famous, scoundrel, infamous, freelance professional war fighter, disinterested observer, "Dog of War" and finally the professional military consultant. This image was predominantly dependent on the conflict and the times, a hero one minute, and a rogue the next. Throughout history mercenaries have assimilated a multitude of roles to include infantrymen, artillerymen, specialized warriors, bodyguards, trainer of regulars and raw conscripts, and procurer of equipment. Whatever the requirement, he met it for a price. Mercenaries predominantly displayed singular motivation for this choice of career path, a very basic motivation for personal monetary gain and rarely an attachment of loyalty to anyone

save the paymaster. Swiss mercenaries in the 15th century were noted for their motto "no money no Swiss."<sup>3</sup>

As stated above, mercenaries have played a vigorous and wide-ranging role throughout the recorded history of warfare. Since the end of the Cold War, however, the term mercenary has assumed another thought provoking image; that of a private military consultant. This new role poses multiple implications for foreign policy makers and could very well be an alternative to the use of military forces in operations other than war.

Today's mercenary prefers to be known as a military consultant and is employed by a private military corporation. The mercenary consultant has advanced in concert with the introduction of improved technology, training, equipment, and information resources. Today's mercenary operates within a sophisticated corporate structure that is staffed by well-trained and experienced and predominantly former military experts. Advertising brochures for private military corporations state their operating procedures and provide a standard set of guiding

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<sup>3</sup> Dupuy, Trevor N. The Evolution of Weapons and Warfare, Hero Books 1984, pg. 88-89

principles.<sup>4</sup> For example, they contract with legitimate governments offering expertise in conflict resolution but do not get directly involved in armed conflict.

MMercenaries, regardless the extent of their involvement, tend to occupy positions of leadership by virtue of their experience and training, not to mention their sometimes flamboyant personalities. James Taulbee writes in his Reflections on the Mercenary Option, "Mercenaries will be present when the following conditions exist: (1) an idea of warfare as a consistent organized activity; (2) resources to support remuneration whether real or potential, exist; and (3) an authority or agent opts to execute a condottieri (contract), rather than raise a national militia."

A repeat of total wars e.g., (WWI - WWII) is unlikely to occur. More likely to transpire are insurgencies, counter insurgencies, low intensity conflicts, military operations other than war (MOOTW), and peace operations or sanctions enforcement. In an effort to develop a world force to deal with these events, the United Nations (UN), provides support in the form of multi-national peacekeeping forces. As an option to military force employment, the UN may wish to consider outsourcing peace and sanctions

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<sup>4</sup> Websites: Vinnell, Sandline International and MPRI

enforcement and other types of MOOTW to private military consulting firms. Implementing such an alternative could reduce or altogether alleviate the requirement for member nations to obligate forces and material support to the UN. If successful, such an option could significantly diminish the risk to national forces and the possibility of being tasked to simultaneously support multiple front operations. Outsourcing UN peace/sanctions enforcement activities and operations other than war could set the course toward achieving a flexible World Force. Exercising an option such as this would eliminate many of the associated redundancies in logistics and administrative responsibilities inherent to raising and maintaining national militias. Using PMCs to conduct these operations would not replace the need for nation states to maintain their own national force structures. It could however, ease the added responsibilities of conducting MOOTW, peace and sanctions enforcement operations and allow them to focus on preparations for their own national military strategy and self-defense.

There are in excess of 200 nation-states today. They are as diverse in economic standards of living as they are

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in religion, in culture and in politics. Many small third-world nation-states cannot afford to stand a permanent national militia to protect their interests at home and abroad. Article 51 of the United Nations Charter guarantees the right of self-defense to all nation-states. This guarantee is significant to small countries rich in natural resources that are much in demand throughout the world though poor by U.S. economic standards. Mercenaries and private military corporations fill the void for governments who need to train and equip national forces and who can afford to pay for those services.<sup>5</sup> Since Article 51 of the United Nations Charter guarantees the right to provide for self-defense and many small third world nations cannot afford to maintain full-time national forces it would seem outsourcing is a cost-effective solution.

Sandline International and Executive Outcomes, both private military corporations, were contracted by the Papua New Guinea (PNG), government to put down secessionists in Bougainville.<sup>6</sup> The PNG government sought the assistance of PMCs to organize, train and equip their national militia

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<sup>5</sup> Shearer, David, Private Armies and Military Intervention, Adelphi Paper 316, Oxford University Press, 1998, pg. 40

<sup>6</sup> Symonds, Peter, Use of Mercenaries Sparks Crises Over Bougainville, Internet research, by Socialist Equality Party

and to provide some measure of security so the government could reopen the country's copper mine, establish peace and end Australia's military aid control. Historically PNG has been dependent upon Australia for military aid, which supported their seven-year effort to put down the rebellion in Bougainville. The Australian government became concerned because of the PMC's success in creating conditions for terms of a possible settlement where the Australian government failed.<sup>7</sup> The independence of a formerly dependent nation and the loss of potential associated trade from the Bougainville copper mines were cause enough for Australia to discourage use of a PMC or any method that would facilitate the independence of Papua New Guinea thus threatening Australia's interests. By seeking independence through use of PMCs, Papua New Guinea set a precedent for other small nations.

In recent years a new demand for the use of PMCs has evolved. Reduction of own force and enemy force casualties and the reduction of collateral damage to infrastructure and the environment are fast becoming the focus of conflict objectives and desired endstates. Employment of a PMC instead of national forces in operations other than war

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<sup>7</sup> Shearer, David Private Armies and Military Intervention pg. 66

would reduce the cost to nations in personnel, resources and funding, and reserve national forces for national strategic and operational interests. No one wants to see or be associated with the killing and destruction that accompanies war. Real-time media brings it right into our living rooms live and in color twenty-four hours a day. PMCs may be an alternative to provide expeditious handling of unpopular low intensity conflict, some forms of MOOTW, and peace and sanctions enforcement operations.

#### Political Debate

President Clinton and the bipartisan congressional bodies have acted on both sides of the issue to endorse or not to endorse the use of mercenaries. In December 1995 President Clinton in an effort to support the Lusaka Agreement, delivered an ultimatum to the leader of the Angolan government (the Lusaka Agreement called for the departure of foreign forces from Angola).<sup>8</sup> This ultimatum required the termination of their contract with Executive Outcomes (EO); a private military corporation hired to train and equip the Angolan military. Non-compliance would

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<sup>8</sup> Australian Broadcast Corp, The Diamond Mercenaries of Africa, April 8, 1996

risk losing much needed aid from the United States.<sup>9</sup> As a result, the Angolan government terminated their contract with EO. On the other hand, President Clinton and Congress facilitated a contract between Military Professional Resources Incorporated (MPRI),<sup>10</sup> and the Bosnian government to provide training and equipment to the Muslim-Croat federation.<sup>11</sup> The U.S. government also supported MPRI's contract with the government of Kosovo to provide border monitors to report the affects of sanctions against the Serbs.<sup>12</sup> In a third case, still under negotiation, the Federation of Bosnia-Herzegovina selected MPRI to conduct their equipment and training program under the International Transfer of Arms Regulation (ITAR). The ITAR is only one of the requirements necessary for a private entity to provide privatized military assistance to a foreign government.

Though recent examples are discussed above, American history documents the use of mercenary forces in our own past. Although the United States is known for its

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<sup>9</sup> Australian Broadcast Corp, The Diamond Mercenaries of Africa, April 8, 1996

<sup>10</sup> Grant, Bruce D. U.S. Military Expertise for Sale: Private Military Consultants as a Tool of Foreign Policy, NDU Press 1998, pg. 96-97

<sup>11</sup> "Private US Companies Train Armies Around the World", US News and World Report, 8 February, 1997, pg. 1-2

<sup>12</sup> ibid

volunteer forces, it has employed the services of mercenary forces since the Civil War.<sup>13</sup> For example, German mercenaries were brought over to join the 35<sup>th</sup> Regiment of Massachusetts Volunteers and the 20<sup>th</sup> Massachusetts Volunteer Infantry. One such young German mercenary, Baron Ernest Mattais Peter Von Vigesach, fought as a private in the Peninsula Campaign of 1862 and was later awarded the Congressional Medal of Honor for "serving successfully" at Gaine Mill, Virginia.<sup>14</sup> Beginning in the 1940s and continuing today, agencies of the United States government funded, assisted and supported American mercenary groups in China, Indonesia, Laos, Korea, Cambodia, Vietnam<sup>15</sup>, Croatia<sup>16</sup>, Bosnia<sup>17</sup> and Kosovo<sup>18</sup>.

Even though precedent has been set on both sides of the issue, the lines for supporting the use of mercenaries are still somewhat vague. The United States double standard on the issue of mercenaries has been cause for

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<sup>13</sup> Dodenhoff, George H. A Historical Perspective of Mercenaries, School of Naval Warfare 1969 pg. 95

<sup>14</sup> ibid

<sup>15</sup> Seagrave, Sterling Soldiers of Fortune, Time Life Books, 1981, pg. 163

<sup>16</sup> Shearer, David Private Armies and Intervention, Adelphi Paper 316, Oxford University Press 1998, pg. 58

<sup>17</sup> Graham, Bradley, "ExGIs Work to Give Bosnian Force a Fighting Chance", The Washington Post, 29 January, 1997 pg. 1-5

<sup>18</sup> Steele, Jonathon, "US Gives Kosovo Monitoring Job to Mercenaries", Guardian Media Group, 31 October, 1998

concern on the part of some world leaders who are unsure as to what U.S. policy will be in the future.

A commander must deal with the same legal issues regardless the type of mercenary (friend or foe), present in an operational environment. The four Geneva Conventions of 1949 are considered customary international law and implied at least from the U.S. viewpoint, that mercenaries may be given POW status. However, the 1977 Additional Protocols changed the definition of a legal combatant making it more ambiguous and specifically declaring mercenaries to be illegal combatants and not entitled to prisoner of war status. The United States disagrees with these changes and has elected to rely on historically established precedent for the definition and treatment of mercenaries as prisoners of war. This denial of POW status significantly enhances the propensity of mercenary forces to fight to the death to reduce their risk of capture and dramatically increases the overall cost of conflict. It must be noted that of all the laws written and codified regarding mercenary activity, none make it illegal to be a mercenary.<sup>19</sup> The U.S. Neutrality Act and the U.K. Foreign Enlistment Act are two examples of laws that prohibit

active recruitment of personnel and involvement in conflict of which the home nation disapproves.<sup>20</sup> These laws have not been enforced because to enforce them "Would be a restriction upon the freedom of the individual."<sup>21</sup> Gerry Thomas in his article Mercenary Troops in Modern Africa said "It was explicitly recognized that the government should retain the right to decide which countries mercenaries could, and could not, go to fight in. The moral is evident enough: The British government is not opposed to mercenaries as such, only to people fighting in wars of which the government disapproves."<sup>22</sup>

### Conclusion

The Law of Armed Conflict and U.S. Customary Law as set forth in the Commander's Handbook on the Law of Naval Operations, NWP 1-14M, provide tools for the Commander to construct clear and straightforward guidance for subordinates. Information regarding the presence of mercenary forces, their mission, strengths, weaknesses,

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<sup>19</sup> Taulbee, 1985 California Western International Law Journal, Mercenaries and International Law, pg. 345

<sup>20</sup> Tickler, Peter The Modern Mercenary, Thorsons' Publishing Group, 1987, pg.218

<sup>21</sup> ibid pg. 218-219

<sup>22</sup> Thomas, Gerry S. Mercenary Troops in Modern Africa, Westview Press Inc. 1984, pg. 52

force size and capabilities should be provided in the planning guidance. Additionally, Annex E of the operations order (OPORD) should provide clear direction that mercenaries if captured (in the case where mercenaries are employed by the opposition), are to be treated as POWs. U.S. policy provides for all individuals taken into U.S. custody during conflict to be initially treated as POWs until a judicial tribunal adjudicates otherwise. The Commander should also be aware that mercenaries are enlightened to the 1977 Protocol I Additional Geneva Convention declaration of their illegal status and may likely pursue a death before surrender or capture course of action.

The Commander planning an amphibious landing to counter the Belize insurgency needs to know as much about the circumstances as possible in order to develop his estimate of the situation and planning guidance. Information regarding the Belize hired PMC force; their mission and capabilities are vital to developing a thorough plan and realizing a successful mission. If a friendly PMC were present as in this case and could provide assistance as a supporting element in a counter insurgency operation many of the same issues evident when dealing with a multi-

national coalition would also exist. These issues might include chain of command, operational control, communications, intelligence collection, transportation, and logistics support.

Operations to consider for outsourcing at the point of conflict termination could include civil law enforcement, establishment of a justice system, delivery of food, fuel and medical supplies, protection for Private Volunteer Organizations and peace/sanctions enforcement activities. In this domain the operational Commander and the PMC leader would work together to conduct a smooth transition from military control of a combat operational situation upon termination to PMC control of a sanctions enforcement environment.

Since the United States is already exploring the feasibility of outsourcing these types of activities to PMCs, the next logical step would be to determine if the current State Department licensing process is adequate. If it is not, then establish a flexible policy for federal government oversight. The Department of State Office of Defense Trade Controls (ODTC) is the oversight agency and authorizes conduct of privatized military business with

foreign governments under the Arms Export Control Act and the ITAR. Once registration with the ODTC is complete, and a Technical Assistance Agreement (TAA), which is for all intents and purposes a license to provide defense services, is processed and approved, the ODTC staffs the contract through the State Department's Country Desk to the Department of Defense. Final approval rests with the SES level ODTC Chief. Under this procedure, the State Department must notify Congress of any contract that exceeds \$50 million.<sup>23</sup> This system appears to have adequate authority and provide a competent monitoring instrument. Therefore, a new oversight system need not be developed to monitor PMC activities.

#### Recommendations

The United Nations has attempted unsuccessfully to establish a World Force. Perhaps members of the UN should consider the exploration of outsourcing "World Force" activities to private military consultants. The reduction of cost in the number of personnel, amount of material, financing and logistical support from member-countries of the UN would be enormous. If UN World Force operations

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<sup>23</sup> Grant, Bruce D. Military Expertise for Sale: Private Military

were conducted by a PMC with allegiance to the UN and its objectives one result might be a perceived reduced world presence for such world powers like Great Britain and the United States. A consequence of this move would place members of the UN on level playing ground and make each member's vote truly equal.

Mercenaries' motivations do not usually involve moral choices. Members of PMCs differ in that they are looking for ways to put their years of training and experience to profitable use. In today's environment we have a reduced force structure and a National Military Strategy that requires our military to be able to maintain, fight and win two simultaneous regional conflicts. The opportunity to outsource peace and sanctions enforcement and MOOTW operations to experienced military consultants presents a phenomenal opportunity. This alternative needs to be explored to the maximum extent possible and not regulated to death. Strict regulation of PMCs leads the United States down the path into direct involvement in the very situations we are trying to avoid.

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## Op-Ed

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February 4, 1999

## Saving Sierra Leone, at a Price

By ELIZABETH RUBIN

**I**magine a population of subsistence farmers who have had their hands and arms chopped off and must now try to till their land. That is what a band of maniacal rebels wants to create in Sierra Leone in the name of agrarian reform. Last month, they overran the capital, Freetown, and burned much of it to the ground. One of their preferred military tactics is to line up civilians and use tree stumps as tables upon which to ax off their hands.

Atrocities of this kind occur every day. Close to 3,000 people have died in fighting in the capital in the past month, and at least 50,000 have fled their homes. Bodies are piled outside the city's hospital, which is underequipped and overwhelmed by amputees, many of them children whose mothers have had their knees hammered by rebels with names like Captain Blood. Many of the killers, too, are children, who are fed on a diet of drugs and call their campaigns "Operation Burn House," "Operation Pay Yourself" and "Operation No Living Thing."

If Sierra Leone is to survive, this insane force must be destroyed. But how? Charles Taylor, the President of neighboring Liberia, has backed the rebels with money, training and manpower. Clearly he should be ostracized by the world community.

But conventional diplomacy alone will not suffice because this is not a conventional war. Rather it is a complete collapse of the state. There is no real national army to rescue the people or defend the democratically elected President, Ahmed Kabbah.

Only Nigerian troops, who make up the bulk of a West African peacekeeping force known by its acronym, Ecomog, have kept the country from annihilation. The Nigerians have recaptured much of the capital, but two-thirds of the country is still at the mercy of the rebels, who now also control Sierra Leone's lucrative diamond mines and so can finance their terror indefinitely. The battle is costing Nigeria more than half a million dollars a day, and its undertrained, underpaid and poorly equipped troops are sustaining terrible losses: each day, some 30 soldiers are returned to Nigeria in body bags.

The Nigerians announced last Friday that they will withdraw from Sierra Leone in time for Nigeria's transition to civilian rule in May. The news sparked panic in Freetown. Many people are trying to get out of the country, fearing they will be slaughtered by the rebels.

Since the humiliating debacle in Somalia in 1993 and the killing of Belgian

United Nations peacekeepers in Rwanda in 1994, it has become clear that the United States will not risk American lives for Africa. So what can the United States and the world do to stop the catastrophe? We could support the Nigerian force robustly. Instead we have chosen to give inadequate sums to Ecomog. Our largest expenditure, tens of millions of dollars in humanitarian aid, is the equivalent of providing bandages for severed limbs. In any case, the Nigerians seem determined to leave.

Privately, some diplomats and Africa experts believe that one force -- a mercenary army -- might be able to contain the rebels' killing sprees in Sierra Leone, because it has done so before. In 1995, rebels drew within 20 miles of Freetown, and the United Nations, the Organization of African Unity and the international conflict resolution experts were all unable to help. In its desperation, the Government of Sierra Leone hired Executive Outcomes, a South African mercenary army founded by apartheid-era South African soldiers but made up mainly of black African soldiers, including Namibians and Angolans.

The company was willing to do what the United Nations cannot: take sides, take casualties, deploy overwhelming force and fire pre-emptively. Executive Outcomes agreed to put down the rebels and restore law and order in return for \$15 million and diamond mining concessions. Relying on about 200 soldiers and a helicopter gunship, it nearly succeeded: 300,000 refugees were able to return from squalid camps in neighboring Guinea that were costing the international community \$60 million a year. And within a year, the people of Sierra Leone voted in their first presidential election in 28 years.

"Our people have died, lost their limbs, lost their eyes and their properties for these elections," the Sierra Leonian Defense Minister said to me at the time. "If we employ a service to protect our hard-won democracy, why should it be viewed negatively?"

Much of the Western press called it an African success story. The foreign diplomats and Sierra Leonians I spoke to at the time said the country owed its stability to Executive Outcomes. Nevertheless the international community and particularly the International Monetary Fund thought it unseemly and too costly for the fledgling democracy to be so dependent on mercenaries. Three months after the mercenaries left, the country, defenseless, collapsed into terror. A year ago, the Nigerians, with some technical support from a British-based private military company called Sandline, staged a counter-assault, ousted the rebels and reinstated Mr. Kabbah.

Now we're back to square one, and some international diplomats are talking about negotiating with the rebels.

President Kabbah is understandably skeptical. Executive Outcomes recently disbanded as a corporate entity, but Mr. Kabbah has been consulting with Sandline.

The United States does not want to endorse such a mission publicly, fearing that to do so would send a signal that the West lacks the political will to resolve the problem and that the world's institutions have failed. Sadly, that is exactly what is happening.

But if the United States, the Western powers and the United Nations are unwilling to fight, should they prevent others from doing so? One obvious problem is that private armies conjure up images of bloodthirsty soldiers of

fortune accountable to no nation-state and no international laws, fighting for the highest bidder.

Yet as long as the major powers choose not to act in places like Sierra Leone and as long as Africa has no equivalent of NATO, private armies will continue to be in demand in much the same way that security businesses are in the United States. The Clinton Administration has even contracted out some of its own retired generals through a company called Military Professional Resources Inc. to provide training to the Croatian and now the Bosnian army.

Constance Freeman, an Africa expert at the Center for Strategic and International Studies, shares the widespread concern that hiring private armies is risky.

But, she said, "I'm not sure the international community is in a position to say they can't [hire mercenaries] if it has nothing to offer as an alternative."

What is needed is a debate about whether we can distinguish freewheeling mercenaries from private military companies and regulate their accountability and conduct. If we could have saved hundreds of thousands of Rwandans from genocide by spending \$25 million, wouldn't it have been worth the price?

In the future, perhaps, the fear that more private military armies could be loosed upon the world will inspire the major powers to invent a more palatable solution. Until then, given the horror in Sierra Leone today, and the fact that no "legitimate" knight in shining armor is on the horizon to replace the Nigerians, is it wrong to let the Sierra Leonians keep their limbs by keeping their mercenaries?

*Elizabeth Rubin is a contributing editor at Harper's and The Forward.*

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